

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the instant application:

1. (Original) A method of eliciting a response comprising:
  - identifying the available network capacity for transmitting electronic content and receiving consumer responses to said transmitted electronic content;
  - transmitting electronic content over the network according to a predetermined electronic campaign;
  - concurrently determining the effectiveness of the electronic campaign by identifying consumer responses to said transmitted electronic content; and
  - dynamically modifying the electronic campaign according to said determined effectiveness of the electronic campaign and said identified available network capacity.
2. (Original) The method of claim 1, wherein said electronic content is electronic marketing content which is part of an electronic marketing campaign.
3. (Original) The method of claim 1, wherein said dynamically modifying step comprises:
  - prior to transmitting said electronic content, selectively format converting said electronic content.
4. (Original) The method of claim 1, wherein said step of identifying the available network capacity comprises determining available bandwidth of the network, and determining a bandwidth utilized by said outbound electronic content and said received consumer responses.

5. (Original) The method of claim 1, wherein said concurrent determining step further comprises determining a number of received consumer responses.

6. (Original) The method of claim 1, wherein said transmitted electronic content is transmitted over a plurality of delivery channels and said concurrent determining step further comprises associating received consumer responses with the particular delivery channel used to transmit the electronic content to which the consumer has responded.

7. (Original) The method of claim 6, further comprising the step of dynamically increasing the rate at which the electronic content is transmitted over at least one delivery channel associated with at least a predetermined minimum percentage of consumer responses.

8. (Original) The method of claim 6, further comprising the step of dynamically decreasing the rate at which the electronic content is transmitted over at least one delivery channel which is not associated with at least a predetermined minimum percentage of consumer responses.

9. (Original) The method of claim 6, further comprising:  
selectively redirecting at least a portion of the electronic content from one delivery channel to another delivery channel.

10. (Original) The method of claim 5, wherein said step of dynamically modifying the electronic campaign further comprises:

selecting at least one message from said electronic content, said selected message being associated with more consumer responses than other messages of said electronic content; and

transmitting said selected message in place of said other messages.

11. (Original) A system for eliciting responses comprising:

at least one delivery application for formatting electronic content and transmitting said electronic content to consumers over a computer communications network;

a network analysis component configured to determine available network capacity according to, at least in part, said transmitted electronic content and consumer responses to said transmitted electronic content, and to balance the network load according to said determined available network capacity;

a meter configured to determine the effectiveness of transmitting the electronic content by identifying consumer responses to said transmitted electronic content, and to dynamically modify the rate at which said electronic content is transmitted over the network according to said determined effectiveness and the available network capacity.

12. (Original) The system of claim 11, further comprising:

a message controller configured to dynamically increase the transmission rate of electronic content over at least one delivery channel, wherein said delivery channel is associated with at least a predetermined minimum percentage of consumer responses.

13. (Original) The system of claim 12, wherein said message controller is configured to selectively format convert said electronic content according to said determined available network capacity prior to transmitting said electronic content.

14. (Original) A machine-readable storage having stored thereon, a computer program having a plurality of code sections, said code sections executable by a machine for causing the machine to perform the steps of:

identifying the available network capacity for transmitting electronic content and receiving consumer responses to said transmitted electronic content;

transmitting electronic content over the network according to a predetermined electronic campaign;

concurrently determining the effectiveness of the electronic campaign by identifying consumer responses to said transmitted electronic content; and

dynamically modifying the electronic campaign according to said determined effectiveness of the electronic campaign and said identified available network capacity.

15. (Original) The machine-readable storage of claim 14, wherein said electronic content is electronic marketing content which is part of an electronic marketing campaign.

16. (Original) The machine-readable storage of claim 14, wherein said dynamically modifying step comprises:

prior to transmitting said electronic content, selectively format converting said electronic content.

17. (Original) The machine-readable storage of claim 14, wherein said step of identifying the available network capacity comprises determining available bandwidth of the network, and determining a bandwidth utilized by said outbound electronic content and said received consumer responses.
18. (Original) The machine-readable storage of claim 14, wherein said concurrent determining step further comprises determining a number of received consumer responses.
19. (Original) The machine-readable storage of claim 14, wherein said transmitted electronic content is transmitted over a plurality of delivery channels and said concurrent determining step further comprises associating received consumer responses with the particular delivery channel used to transmit the electronic content to which the consumer has responded.
20. (Original) The machine-readable storage of claim 19, further comprising the step of dynamically increasing the rate at which the electronic content is transmitted over at least one delivery channel associated with at least a predetermined minimum percentage of consumer responses.
21. (Original) The machine-readable storage of claim 19, further comprising the step of dynamically decreasing the rate at which the electronic content is transmitted over at least one delivery channel which is not associated with at least a predetermined minimum percentage of consumer responses.

22. (Original) The machine-readable storage of claim 19, further comprising:  
selectively redirecting at least a portion of the electronic content from one delivery channel to another delivery channel.

23. (Original) The machine-readable storage of claim 18, wherein said step of dynamically modifying the electronic campaign further comprises:

selecting at least one message from said electronic content, said selected message being associated with more consumer responses than other messages of said electronic content; and

transmitting said selected message in place of said other messages.